

IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE – I,
NEDUMANGAD

Present: Smt. Ruby Ismail,
Judl. I Class Magistrate-I, Nedumangad

CC/ST ...188.7.../2019

Under Sections

279 IPC & 185 of MWAet

Order

Accused is released under section 258 of Cr.P.C

ORDER

The accused is facing trial for in the above section. Repeated processes have been issued; however, the accused has not been produced till date, as the prosecution has been unable to secure their presence. The police have now filed a report stating that, despite their best efforts to locate the accused, their presence cannot be procured. It is further reported that the cost of ensuring the appearance of the accused far exceeds the maximum fine prescribed under the statute for the alleged offence.

2. Perused the records and the report filed. I am satisfied that the prosecution has made maximum efforts to secure the presence of the accused. However, despite their best efforts, the presence of the accused could not be procured. It is further noted that the cost of securing the appearance of the accused far exceeds the maximum fine prescribed under the statute for the alleged offence. In view of the judgment of the Hon'ble High Court in ***Suo Motu v. State of Kerala (2023 (7) KHC 505)***, I am duty-bound to stop the proceedings. Accordingly, the proceedings against the accused are hereby stopped under Section 258 Cr.P.C. The accused is/are released. The release shall have the effect of discharge.

Pronounced by me in open court on this the14/2/26.

JUDICIAL FIRST CLASS MAGISTRATE – I,
Nedumangad